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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/431,875	11/02/1999	ATSUHIKO ISHIHARA	0378-0361P	9337

7590 01/28/2004

BIRCH STEWART KOLASCH & BIRCH LLP
P O BOX 747
FALLS CHURCH, VA 220400747

EXAMINER

MOE, AUNG SOE

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 01/28/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/431,875	Applicant(s) Ishihara et al	
	Examiner Aung Moe	Art Unit 2612	
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --			
Period for Reply			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.			
<ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 			
Status			
1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>Oct 31, 2003</u>			
2a) <input checked="" type="checkbox"/> This action is FINAL .		2b) <input type="checkbox"/> This action is non-final.	
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11; 453 O.G. 213.			
Disposition of Claims			
4) <input checked="" type="checkbox"/> Claim(s) <u>1-7</u> is/are pending in the application.			
4a) Of the above, claim(s) _____ is/are withdrawn from consideration.			
5) <input type="checkbox"/> Claim(s) _____ is/are allowed.			
6) <input checked="" type="checkbox"/> Claim(s) <u>1, 2, and 5-7</u> is/are rejected.			
7) <input checked="" type="checkbox"/> Claim(s) <u>3 and 4</u> is/are objected to.			
8) <input type="checkbox"/> Claims _____ are subject to restriction and/or election requirement.			
Application Papers			
9) <input type="checkbox"/> The specification is objected to by the Examiner.			
10) <input type="checkbox"/> The drawing(s) filed on _____ is/are a) <input type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).			
11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.			
12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.			
Priority under 35 U.S.C. §§ 119 and 120			
13) <input checked="" type="checkbox"/> Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).			
a) <input checked="" type="checkbox"/> All b) <input type="checkbox"/> Some* c) <input type="checkbox"/> None of: 1. <input checked="" type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____. 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).			
*See the attached detailed Office action for a list of the certified copies not received.			
14) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) <input type="checkbox"/> The translation of the foreign language provisional application has been received.			
15) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.			
Attachment(s)			
1) <input type="checkbox"/> Notice of References Cited (PTO-892)		4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____	
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)	
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). <u>6 & 2</u>		6) <input type="checkbox"/> Other: _____	

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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3. Claims 1-2, and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (5,828,406) in view of Alston (U.S. 4,541,010) and Chang (U.S. 5,264,939).

Regarding claim 1, Parulski '406 discloses a solid-state image pickup apparatus (Fig. 2) comprising:

an image pickup section (20) comprising: a color separating section including color filters assigned to three primary colors R, G, and B for separating colors of light incident from a desired scene (i.e., see Fig. 4); a plurality of photosensitive cells (i.e., Fig. 3A, the element's 66) arranged bidimensionally in one-to-one correspondence to said color filters each for transforming light output from a particular color filter to a corresponding signal charge (i.e., see Figs. 3A-4; col. 5, lines 32+);

a plurality of vertical transfer paths (Fig. 3A, the element's 68) each comprising transfer elements arranged in a vertical direction for vertically transferring signal charges fed from adjoining ones of said plurality of photosensitive cells (i.e., see col. 5, lines 35+);

a horizontal transfer path (Fig. 3A/3B; the elements' 70, 76, 78) perpendicular to said plurality of vertical transfer paths and comprising transfer elements arranged in a horizontal direction for transferring the signal charges fed from said plurality of vertical transfer paths (i.e., col. 5, lines 32+ and col. 6, lines 5+);

signal reading circuitry (Fig. 2, the elements' 30 and 27) for shifting the signal charges from said plurality of photosensitive cells (66) to said plurality of vertical transfer paths (68); and

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charge sweeping circuitry (i.e., Fig. 2, the elements' 72, 30 and 27) for sweeping out needless ones of the signal charges stored in said plurality of photosensitive cells (i.e., col. 5, lines 40+ and col. 6, lines 25+); and

a mode selecting section for selecting (i.e., Fig. 2, the element 12), when an operation for reading the signal charges out of said image pickup section (20) is represented by a mode (i.e., a still mode), either one of all pixels read mode for reading the signals charges from all of said plurality of photosensitive cells (66) (col. 6, lines 24-65) and a particular pixel read mode (i.e., the Preview mode or Line Skipping mode as discussed col. 6, lines 25+ and col. 7, lines 5+) for reading only the signal charges representative of some of the lines;

a drive signals generating section (Fig. 2, the elements' 30 and 27) for feeding horizontal and vertical drive signals (i.e., noted V1 and V2 as shown in Fig. 5-6b) to said image pickup section (20), and providing said horizontal driver signals (i.e., noted H1 and H2 as shown in Figs. 5-6b) with a period shorter in said particular pixel read mode (i.e., the preview/motion mode) than in said all pixel read mode (i.e., "Still" mode) (i.e., noted from Figs. 5-6b that a period for the horizontal driver signals H1/H2 for the "preview/line skipping" mode is shorter than the "Still" mode; col. 6, lines 5-68); and

a controller (Fig. 2; the element's 27) for controlling said drive signals generating section (30) in a particular manner in each of said all pixel read mode and said particular pixel read mode (i.e., see Figs. 2 and 5-6b; col. 6, lines 27+).

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Further more, it is noted that Parulski '406 does not explicitly show that the color filters assigned to the color G being arranged in stripes and reading only the color G signals for a particular pixel read mode (i.e., the preview mode).

However, the above mentioned claimed limitations are well-known in the art as clearly evidenced by Alston '010. In particular, Alston '010 teaches the well-known solid-state color image pickup apparatus for operation the two different modes (i.e., the recording mode/a preview mode; see col. 3, lines 65+). Further, Alston '010 stated it is conventionally well-known to use the Green (G) color filter stripes (Fig. 1, the element's 14) in a solid-stated image pickup wherein only the green (G) colors signals are read out for a particular pixel read mode (i.e., the preview mode; see col. 3, lines 20+ and col. 4, lines 5+) so that it would eliminate the need to provide a large storage array or buffer memory equivalent to the resolution of the image sensing array thereby eliminating the need to provide a separate high resolution buffer memory as was heretofore required (i.e., see col. 4, lines 45+).

In view of the above, having the system of Parulski '406 and then given the well-established teaching of Alston '010, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Parulski '406 as taught by Alston '010, since Alston '010 suggested at column 4, lines 45+ that such a modification would eliminate the need to provide a large storage array or buffer memory equivalent to the resolution of the image sensing array thereby eliminating the need to provide a separate high resolution buffer memory as was heretofore required.

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In addition, it is noted that Parulski '406 does not explicitly show said mode selection section generating a difference phase of the horizontal drive signal selected from a plurality of signal level in response to a horizontal timing signal fed from the drive signal generating section and a control signal fed from the controller as amended.

However, the above mentioned claimed limitations are well-known in the art as clearly evidenced by Chang '939. In particular, Chang '939 teaches the use of mode selection section (Fig. 1, the elements 37, and 32) generating a difference phase of the horizontal drive signal selected from a plurality of signal level in response to a horizontal timing signal (H1A, H2B and H2) fed from the drive signal generating section and a control signal fed from the controller (64) as amended (i.e., see Figs. 3 and 4; col. 6, lines 19-68).

In view of the above, having the system of Parulski '406 and then given the well-established teaching of Chang '939, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Parulski '406 as taught by Chang '939, since Chang '939 suggested at column 2, lines 5+ that such a modification would provide low cost device for producing a low resolution, real time image for a high resolution camera system thereof.

Regarding claim 2, the combination of Parulski '406 and Alston '010 shows wherein said color separating section has any one of a G strip pattern (i.e., noted the teaching of Alston '010), a G stripe, R/B checker pattern (i.e., see Figs. 4 and 7 of Parulski '406) and a G stripe, RB fully checker pattern in which the color G is arranged in stripes and a full checker pattern in which the

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color G is arranged in a square lattice while the color R and B each are diagonally arranged at opposite sides of the color G (i.e., see Figs. 4 and 7 of Parulski '406 and Fig. 1, the element 14 of Alston '010).

Regarding claim 5, Parulski '406 discloses a signal reading method for a solid-state image pickup apparatus (Fig. 2) including an image pickup section (20) including a color separating section having color filters (Figs. 4 and 7) assigned to three primary colors R, G and B for separating colors of light incident from a desire scene, the color filters assigned to the color G, R and B, a plurality of photosensitive cells (Figs. 3A-3B; the elements' 66) arranged bidimensionally in one-to-one correspondence to said color filters each for transforming light output from a particular color filter to a corresponding signal charge, and charge sweeping circuitry (i.e., Fig. 2, the elements' 72, 30 and 27) for sweeping out needless ones of signal charges stored in said plurality of photosensitive cells (i.e., col. 5, lines 40+), said image pickup section (20) transferring the signal charges of said plurality of photosensitive cells in a vertical direction (68) and then in a horizontal direction (i.e., 70, 76, 78); said signals reading method comprising the steps of:

(a) selecting, when an operation for reading the signal charges out of said image pickup section (20) is represented by a mode, either one of all pixels read mode (i.e., Still mode) for reading the signal charges from all of said plurality of photosensitive cells (i.e., col. 6, lines 20-68) and a particular pixel read mode (i.e., "Preview/Motion" mode) for reading only the signal charges representative of the specific lines (i.e., see Fig. 7);

b) generating drive signals (i.e., Figs. 5-6a/6b) for driving said image pickup section in accordance with said all pixel read mode or said particular pixel read mode selected;

c) storing, in said particular pixel read mode, the signal charge drive from the color signals of the selected lines in response to said drive signals while sweeping out the signals charges derived from the colors' R and B (i.e., noted from Figs. 6a/6b, the fast dump structure 72 is sweeping out the signals charges; see col. 6, lines 30+);

d) effecting a field shift of only the signals charges stored (i.e., see Figs. 6a/6b; col. 6, lines 30+);

e) vertically transferring the signals charges derived from the color signals and subject to the field shift (i.e., Figs. 6a/6b; col. 6, lines 40+); and

f) horizontally transferring the signals charges vertically transferred at a period shorter than a period of time necessary for the signals charges to be read out in said all pixels read mode (i.e., see Figs. 5-6a/6b; col. 6, lines 5-68 and col. 8 lines 40+; noted from Figs. 5-6b that a period for the horizontal driver signals H1/H2 for the "preview/line skipping" mode is shorter than the "Still" mode).

Further more, it is noted that Parulski '406 does not explicitly show the system and method that include the color filters assigned to the color G being arranged in stripes and reading, storing and vertically transferring only the color G signals for a particular pixel read mode (i.e., the preview mode).

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However, the above mentioned claimed limitations are well-known in the art as clearly evidenced by Alston '010. In particular, Alston '010 teaches the well-known solid-state color image pickup apparatus for operation the two different modes (i.e., the recording mode/a preview mode; see col. 3, lines 65+). Further, Alston '010 stated it is conventionally well-known to use the Green (G) color filter stripes (Fig. 1, the element's 14) in a solid-state image pickup in order to perform the steps of: reading, storing and vertically transferring only the green (G) colors signals for a particular pixel read mode (i.e., the preview mode; see col. 3, lines 20+ and col. 4, lines 5+) so that it would eliminate the need to provide a large storage array or buffer memory equivalent to the resolution of the image sensing array thereby eliminating the need to provide a separate high resolution buffer memory as was heretofore required (i.e., see col. 4, lines 45+).

In view of the above, having the system of Parulski '406 and then given the well-established teaching of Alston '010, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Parulski '406 as taught by Alston '010, since Alston '010 suggested at column 4, lines 45+ that such a modification would eliminate the need to provide a large storage array or buffer memory equivalent to the resolution of the image sensing array thereby eliminating the need to provide a separate high resolution buffer memory as was heretofore required.

In addition, it is noted that Parulski '406 does not explicitly show the step of generating a different phase of a horizontal drive signal being generated in response to a control signal fed from the all pixel read mode or the particular pixel read mode selected as amended.

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However, the above mentioned claimed limitations are well-known in the art as clearly evidenced by Chang '939. In particular, Chang '939 teaches the step of generating a different phase of a horizontal drive signal being generated in response to a control signal fed from the all pixel read mode or the particular pixel read mode selected as amended (i.e., see Figs. 3 and 4; col. 4, lines 40-60; col. 6, lines 19-68).

In view of the above, having the system of Parulski '406 and then given the well-established teaching of Chang '939, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Parulski '406 as taught by Chang '939, since Chang '939 suggested at column 2, lines 5+ that such a modification would provide low cost device for producing a low resolution, real time image for a high resolution camera system thereof.

Regarding claim 6, the combination of Parulski '406 and Alston '010 shows wherein the step (b) comprises:

g) generating first drive signals for storing, in said particular pixel read mode (i.e., the preview/motion mode as shown in Figs. 6a/6b of Parulski '406), the signal charges derived from the color G (i.e., noted the teaching of Alston '010) while sweeping out the signal charges derived from the color R and B (i.e., see col. 6, lines 25+ of Parulski '406 and col. 4, lines 45+ of Alston '010);

h) generating second drive signals for effecting the field shift (i.e., see Figs. 5-6a/6b of Parulski '406);

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i) generating third drive signals for vertically transferring the charges subjected to the filed shift (i.e., Figs. 5 and 6a/6b of Parulski '406);

j) generating drive signals for horizontally transferring the signal charges vertically transferred at a period shorter than a period of time necessary for the signals charges to be read out in said all pixels read mode (i.e., noted from Figs. 5-6b that a period for the horizontal driver signals H1/H2 for the "preview/line skipping" mode is shorter than the "Still" mode; col. 6, lines 5-68).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Chang (U.S. 5,264,939).

Regarding claim 7, Chang '939 discloses a solid-state image pickup apparatus (Fig. 1) comprising: an image pickup section (20); a mode selection section (Fig. 1, the elements 37, 64) for selection a first mode (i.e., View mode) or a second read mode (i.e., Record mode) for reading

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signal charges from the image pickup section according to a plurality of drive signals (i.e., see Fig. 1, the drive signals V1, V2, ECG, H1A, H1B and H2);

a drive signals generating section (Fig. 1, the elements 30, 32 and 64) for feeding horizontal and vertical drive signals to the image pickup section (20), and providing a horizontal drive signal (i.e., H1A/H1B/H2) of the plurality of drive signals, the horizontal drive signal having a period shorter in the second read mode than in the first mode (i.e., see Figs. 3 and 4).

Allowable Subject Matter

6. Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or Faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Aung S. Moe** whose telephone number is **(703) 306-3021**. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reached on **(703) 305-4929**.

Any inquiry of a general nature or relating to the status of this application should be directed to the customer service number **(703) 306-0377**.



AUNG MOE
PRIMARY EXAMINER

A. Moe

January 23, 2004